



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 17 December 2003
(OR. fr)**

15613/03

**MA 20
AGRI 382
OC 832**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject : Council Decision on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Morocco concerning reciprocal liberalisation measures and the replacement of Protocols 1 and 3 to the EC-Morocco Association Agreement

COMMON GUIDELINES

Consultation deadline: 15.12.2003

COUNCIL DECISION

of

on the conclusion of an Agreement in the form of an Exchange of Letters
between the European Community and the Kingdom of Morocco
concerning reciprocal liberalisation measures and
the replacement of Protocols 1 and 3
to the EC-Morocco Association Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133, in
conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 16 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part ¹, which has been in force since 1 March 2000, provides that the Community and Morocco will gradually implement greater liberalisation of their reciprocal trade in agricultural products.
- (2) Article 18 of the Euro-Mediterranean Agreement provides that from 1 January 2000 the Community and the Kingdom of Morocco will assess the situation with a view to determining the liberalisation measures to be applied by the Parties with effect from 1 January 2001.
- (3) The Community and the Kingdom of Morocco have agreed to replace Protocols 1 and 3 to the Euro-Mediterranean Agreement by means of an agreement in the form of an Exchange of Letters. That agreement should therefore be approved.
- (4) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ²,

HAS DECIDED AS FOLLOWS:

¹ OJ L 70, 18.3.2000, p. 1.

² OJ L 184, 17.7.1999, p. 23.

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Morocco concerning reciprocal liberalisation measures and the replacement of Protocols Nos 1 and 3 to the EC-Morocco Association Agreement in the Annex hereto is hereby approved on behalf of the Community.

The text of the Agreement in the form of an Exchange of Letters is attached to this Decision.

Article 2

The Commission shall adopt the detailed rules for implementing Protocols 1 and 3 in accordance with the procedure laid down in Article 3.

Article 3

1. The Commission shall be assisted by the Management Committee for Sugar established by Article 42 of Regulation (EC) No 1260/2001¹ or, as the case may be, by the committees established by the corresponding provisions of other regulations on the common organisation of markets or by the Customs Code Committee established by Article 248a of Regulation (EEC) No 2913/92².

¹ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 680/2002 of 19 April 2002 (OJ L 104, 20.4.2002, p. 26).

² OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 of 12 December 2000 (OJ L 311, 12.12.2000, p. 17).

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period referred to in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its own rules of procedure.

Article 4

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Article 5

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels,

For the Council
The President

AGREEMENT
IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN COMMUNITY AND THE KINGDOM OF MOROCCO
CONCERNING RECIPROCAL LIBERALISATION MEASURES AND
THE REPLACEMENT OF THE AGRICULTURAL PROTOCOLS TO
THE EC-MOROCCO ASSOCIATION AGREEMENT

A. Letter from the European Community

Brussels,

Sir,

I have the honour to refer to the negotiations which have been held under Article 16 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, which has been in force since 1 March 2000, and which provides that the Community and Morocco will gradually implement greater liberalisation of their reciprocal trade in agricultural products.

The negotiations to that end were held in accordance with Article 18(1) of the Euro-Mediterranean Agreement, which provides that from 1 January 2000 the Community and Morocco will assess the situation with a view to determining the liberalisation measures to be applied by the parties with effect from 1 January 2001.

On the conclusion of the negotiations the two Parties agreed to the following:

1. Protocols 1 and 3 to the Association Agreement shall be replaced by the protocols annexed hereto.
2. In the first paragraph of Article 18 of the Association Agreement, the dates "1 January 2000" and "1 January 2001" shall be replaced by "1 January 2007" and "1 January 2008".

3. The Agreement in the form of an Exchange of Letters between the Community and the Kingdom of Morocco annexed to the Association Agreement, relating to Article 1 of Protocol 1 and concerning imports into the Community of fresh cut flowers and flower buds falling within subheading 0603 10 of the common customs tariff is hereby repealed.
4. This Agreement shall apply from 1 January 2004, except for Articles 2, 4 and 5 of Protocol 1, which shall apply to tomatoes from 1 October 2003.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from Morocco

Rabat,

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

"I have the honour to refer to the negotiations which have been held under Article 16 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, which has been in force since 1 March 2000, and which provides that the Community and Morocco will gradually implement greater liberalisation of their reciprocal trade in agricultural products.

The negotiations to that end were held in accordance with Article 18(1) of the Euro-Mediterranean Agreement, which provides that from 1 January 2000 the Community and Morocco will assess the situation with a view to determining the liberalisation measures to be applied by the parties with effect from 1 January 2001.

On the conclusion of the negotiations the two Parties agreed to the following:

1. Protocols 1 and 3 to the Association Agreement shall be replaced by the protocols annexed hereto.
2. In the first paragraph of Article 18 of the Association Agreement, the dates "1 January 2000" and "1 January 2001" shall be replaced by "1 January 2007" and "1 January 2008".

3. The Agreement in the form of an Exchange of Letters between the Community and the Kingdom of Morocco annexed to the Association Agreement, relating to Article 1 of Protocol 1 and concerning imports into the Community of fresh cut flowers and flower buds falling within subheading 0603 10 of the common customs tariff is hereby repealed.
4. This Agreement shall apply from 1 January 2004, except for Articles 2, 4 and 5 of Protocol 1, which shall apply to tomatoes from 1 October 2003.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter."

I have the honour to inform you that the Kingdom of Morocco is in agreement.

Please accept, Sir, the assurance of my highest consideration.

For the Kingdom of Morocco

PROTOCOL NO 1
ON THE ARRANGEMENTS APPLYING TO IMPORTS INTO THE COMMUNITY
OF AGRICULTURAL PRODUCTS ORIGINATING IN MOROCCO

ARTICLE 1

1. The products listed in Annex 1.A, originating in Morocco, shall be admitted for import into the Community in accordance with the conditions set out below and in that Annex.
2. Import duties shall be either eliminated or reduced by the percentage indicated for each product in column (a) of Annex 1.A.

Where the common customs tariff provides for the application of ad valorem customs duties and a specific customs duty for certain products marked with an asterisk in column (a) or (c), the rates of reduction shown in column (a) and in column (c), as referred to in paragraph 3, shall apply only to the ad valorem customs duty.

3. The customs duties for certain products shall be eliminated within the limits of the tariff quotas shown against them in column (b) of Annex 1.A.

For the quantities imported in excess of the quotas, the common customs duties shall be reduced at the rates indicated in column (c) of that Annex.

For the first year of application of the Agreement, except for tomatoes falling within CN code 0702 00 00, the volumes of the tariff quotas for which the quota period began before the entry into application of this agreement shall be calculated as a pro rata of the basic volumes, taking into account the part of the period which elapsed before the date of entry into force of this Agreement.

4. For some of the products listed in Annex 1.A and indicated in column (d), the quotas shall be increased from 1 January 2004 to 1 January 2007 on the basis of four equal instalments, each corresponding to 3% of the quota amounts.

5. If the Community reduces the most-favoured-nation duties it applies, the phasing-out of tariffs as indicated in columns (a) and (c) shall apply to the said reduced duties.

ARTICLE 2

1. For fresh or chilled tomatoes falling within CN code 0702 00 00, for each period from 1 October to 31 May, hereinafter called "marketing years", under the following tariff quotas and subject to paragraph 2 below:

(tonnes)	marketing years			
	2003/04	2004/05	2005/06	2006/07 and after
<u>Basic monthly quotas</u>				
October	10 000	10 000	10 000	10 000
November	26 000	26 000	26 000	26 000
December	30 000	30 000	30 000	30 000
January	30 000	30 000	30 000	30 000
February	30 000	30 000	30 000	30 000
March	30 000	30 000	30 000	30 000
April	15 000	15 000	15 000	15 000
May	4 000	4 000	4 000	4 000
Total	175 000	175 000	175 000	175 000
<u>Additional quota</u> (from 1 November to 31 May)				
Line A	15 000	25 000	35 000	45 000
Line B	15 000	5 000	15 000	25 000

- (a) ad valorem customs duties shall be eliminated,
 - (b) the entry price level from which specific duties will be reduced to zero, hereinafter called the "agreed entry price", shall be EUR 461 per tonne.
2. When the total quantity of tomatoes originating in Morocco released for free circulation in the Community during a given marketing year does not exceed the sum of the basic monthly quotas and the additional quota applicable for that marketing year, the additional quota for the following marketing year shall be that indicated at line A in paragraph 1 above. Where that condition is not met during a given marketing year, the additional quota for the following year shall be that indicated at line B in paragraph 1 above. However, a maximum tolerance of 1% shall be accepted for the purpose of assessing whether this condition has been met.
3. Morocco undertakes to ensure that no more than 30% of this additional quota is used during any one month.
4. Drawings on the basic monthly tariff quotas shall be stopped on 15 January for the months from October to December each marketing year and on the second working day after 1 April for the months from January to March. The following working day, the Commission shall determine the unused quantities under the basic monthly quotas concerned, and these shall be transferred to the additional quota for that marketing year. From the above dates, all retroactive applications under one of the basic monthly tariff quotas which has been closed and any unused quantities to be returned to those quotas shall be taken from or placed in the additional tariff quota for the marketing year concerned.

ARTICLE 3

For the products listed below, the agreed entry price level from which specific duties will be reduced to zero during the periods indicated shall be those set out below, and the ad valorem customs duties shall be eliminated for the quantities and periods fixed in this Article.

Products:	Quantity (tonnes)	Period	Agreed entry price
Cucumbers CN 0707 00 05	5 600	01.11 – 31.05	EUR 449
Artichokes CN 0709 10 00	500	01.11 – 31.12	EUR 571
Courgettes CN 0709 90 70	20 000	01.10 – 31.01 01.02 – 31.03 01.04 – 20.04	EUR 424 EUR 413 EUR 424
Fresh oranges CN ex 0805 10	300 000	01.12 – 31.05	EUR 264
Fresh clementines CN ex 0805 20 10	130 000	01.11 – end of February	EUR 484

ARTICLE 4

For the products referred to in Articles 2 and 3:

- if the entry price of a particular consignment is 2%, 4%, 6% or 8% below the agreed entry price, the specific customs duty under the quota shall be 2%, 4%, 6% or 8% of the agreed entry price;

- if the entry price of a particular consignment is below 92 % of the agreed entry price, the specific customs duty bound in the WTO shall apply;
- these agreed entry prices shall be reduced in the same proportions and at the same pace as the entry prices bound in the WTO.

ARTICLE 5

1. The aim of the specific arrangements provided for in Articles 2 and 3 of this Protocol shall be to preserve the level of Morocco's traditional exports to the Community and to avoid disturbing Community markets.

2. In order to ensure that the aim described in the first paragraph and Articles 2 and 3 is fully achieved and to improve market stability and continuity of supply, the two Parties shall hold consultations during the second quarter of each year, or at any time if one of the Parties so requests, no more than three working days after such a request.

Consultations shall cover trade during the previous marketing year and the outlook for the coming marketing year, in particular the market situation, production forecasts, estimated production and export prices and possible market developments.

Where necessary, the Parties shall take the necessary steps to ensure that the aim described in the first paragraph of this Article and in Articles 2 and 3 is fully achieved.

3. Without prejudice to other provisions of this Agreement, if, given the particular sensitivity of the agricultural markets, imports of products originating in Morocco which are the subject of concessions granted under this Protocol cause serious disturbance to Community markets within the meaning of Article 25 of the Agreement, both Parties shall hold consultations immediately to find an appropriate solution. Pending such solution, the Community may take the measures it deems necessary.

ARTICLE 6

Wine originating in Morocco bearing a registered designation of origin shall be accompanied by a certificate indicating the origin in accordance with the model in Annex I.B to this Protocol or by a V I 1 or V I 2 document annotated in accordance with Article 25 of Regulation (EC) No 883/2001 on the certificates and analyses required for imports of wine, grape juice and grape must.

ANNEX 1A

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
0101 90 19	Horses other than for slaughter	100			
ex 0204	Meat of sheep or goats, fresh, chilled or frozen, other than meat of domestic sheep	100			
0205 00	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen	100			
0208	Other meat and edible offal, fresh, chilled or frozen	100			
ex 0602	Other live plants (including their roots), cuttings and slips; mushroom spawn, other than roses	100			
ex 0602 40	Roses, grafted or not, other than cuttings	100			
0603 10	Cut flowers and flower buds, fresh				
0603 10 10	Roses, from 15 October to 31 May	100	3 000	–	Article 1(4)
0603 10 20	Carnations, from 15 October to 31 May				
0603 10 40	Gladioli, from 15 October to 31 May				
0603 10 50	Chrysanthemums, from 15 October to 31 May				
0603 10 30	Orchids, from 15 October to 14 May	100	2 000	–	Article 1(4)
0603 10 80	Other, from 15 October to 14 May				
ex 0701 90 50	New potatoes, from 1 December to 30 April	100	120 000	40	Article 1(4)
ex 0701 90 90					
0702 00 00	Tomatoes, fresh or chilled, from 1 October to 31 May			60 (*) (3)	Article 2
0702 00 00	Tomatoes, fresh or chilled, from 1 June to 30 September	60 (*)			
ex 0703 10 11	Onions, fresh or chilled, from 15 February to 15 May	100	8 000	60	Article 1(4)
0703 10 19	Wild onions (Muscari comosum) from 15 February to 15 May				
0703 10 90	Shallots, fresh or chilled	100	1 000	–	Article 1(4)
0703 20 00	Garlic, fresh or chilled				
0703 90 00	Leeks and other alliaceous vegetables, fresh or chilled				
ex 0704	Cabbages, cauliflowers, kale, kohlrabi and other similar edible brassicas, fresh or chilled, excluding Chinese cabbage	100	500	–	Article 1(4)
ex 0704 90 90	Chinese cabbage, fresh or chilled :	100	200	–	Article 1(4)
0705 11 00	Cabbage lettuce (head lettuce), fresh or chilled	100	200	–	Article 1(4)
0705 19 00	Lettuce (Lactuca sativa), fresh or chilled (excluding head lettuce)				
0705 29 00	Chicory (Chicorium spp.), with the exception of witloof chicory (Chicorium intybus var. foliosum) fresh or chilled	100	600	–	Article 1(4)
0706 10 00	Carrots and turnips, fresh or chilled				
706 90	Salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled				

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
0707 00 05	Cucumbers, fresh or chilled, from 1 November to 31 May				Article 3
0707 00 05	Cucumbers, fresh or chilled, 1 June to 31 October	100 (*)			
0707 00 90	Gherkins, fresh or chilled	100	100	–	Article 1(4)
0708 10 00	Peas (<i>Pisum sativum</i>), fresh or chilled, from 1 October to 30 April	100			
0708 20 00	Beans (<i>Vigna</i> spp. <i>Phaseolus</i> spp.), fresh or chilled, from 1 November to 31 May	100			
0709 10 00	Artichokes, fresh or chilled, from 1 November to 31 December			30 (*)	Article 3
0709 10 00	Artichokes, fresh or chilled, from 1 to 31 October and from 1 January to 31 March	100 (*)			
0709 20 00	Asparagus, fresh or chilled, from 1 October to 31 May	100			
0709 30 00	Aubergines (eggplants), fresh or chilled, from 1 December to 30 April	100			
ex 0709 40 00	Celery other than celeriac, fresh or chilled				
ex 0709 51 00	Mushrooms of the genus <i>Agaricus</i> , fresh or chilled, excluding cultivated mushrooms				
0709 59 10	Chanterelles, fresh or chilled				
0709 59 30	Flap mushrooms, fresh or chilled	100	9 000	–	Article 1(4)
ex 0709 59 90	Other edible mushrooms, fresh or chilled, other than cultivated mushrooms				
0709 70 00	Spinach, New Zealand spinach and orache spinach (garden spinach), fresh or chilled				
0709 60 10	Sweet peppers and pimentos, fresh or chilled	100			
0709 60 99	Other fruits of the genus <i>Capsicum</i> or <i>Pimenta</i> , fresh or chilled, from 15 November to 30 June	100			
0709 90 10	Salad vegetables, other than lettuce (<i>Lactuca sativa</i>) and chicory (<i>Chicorium</i> spp.), fresh or chilled	100			
0709 90 31	Olives, fresh or chilled, for uses other than the production of oil (4)	100			
0709 90 39	Other olives, fresh or chilled	100			
0709 90 40	Capers, fresh or chilled	100			
0709 90 60	Sweet corn, fresh or chilled	100			
0709 90 70	Courgettes, fresh or chilled, from 1 October to 20 April				Article 3
0709 90 70	Courgettes, fresh or chilled, from 21 April to 31 May	60 (*)			
ex 0709 90 90	Okra, fresh or chilled, from 15 February to 15 June	100			
ex 0710	Frozen vegetables other than peas and other fruits of the genus <i>Capsicum</i> or <i>Pimenta</i>	100	10 000		Article 1(4)
ex 0710 21 00	Peas, uncooked or cooked by steaming or boiling in water, frozen	100			
ex 0710 29 00					

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
0710 80 59	Fruits of the genus Capsicum or Pimenta, uncooked or cooked by steaming or boiling in water, frozen (excluding sweet peppers)	100			
0711 20 10	Olives, provisionally preserved, but unsuitable in that state for consumption, for uses other than the production of oil (4)	100			
0711 30 00	Capers, provisionally preserved but unsuitable in that state for consumption	100			
0711 40 00 0711 51 00 0711 59 00 0711 90 30 0711 90 50 0711 90 80 0711 90 90	Cucumbers and gherkins, mushrooms, truffles, sweet corn, onions, other vegetables (excluding pimentos) and mixtures of vegetables, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for consumption	100	600	–	Article 1(4)
0711 90 10	Fruits of the genus Capsicum or Pimenta, excluding sweet peppers and pimentos, provisionally preserved but unsuitable in that state for consumption	100			
ex 0712	Dried vegetables, excluding onions and olives	100	2 000	–	Article 1(4)
ex 0713 50 00	Broad beans and horse beans, for sowing	100			
ex 0713 50 00 0713 90 90	Broad beans, horse beans and other leguminous vegetables, other than for sowing	100			
ex 0804 10 00	Dates in immediate packings of a net capacity not exceeding 35 kg	100			
0804 20	Figs	100			
0804 40 00	Avocados	100			
ex 0805 10	Fresh oranges, from 1 December to 31 May			80 (*)	Article 3
ex 0805 10	Fresh oranges, from 1 June to 30 November	100			
ex 0805 10 80	Oranges, other than fresh	100			
ex 0805 20 10	Fresh clementines, from 1 November to the end of February			80(*)	Article 3
ex 0805 20 10	Fresh clementines, from 1 March to 31 October	100 (*)			
ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas), fresh; wilkings and similar citrus hybrids, fresh	100 (*)			
0805 40 00	Grapefruit, fresh or dried	100			
ex 0805 50 10	Fresh lemons	100 (*)			
ex 0805 50	Lemons and limes, other than fresh	100 (*)			
ex 0806 10 10	Table grapes, fresh, from 1 November to 31 July	100 (*)			
0807 11 00	Watermelons, fresh, from 1 January to 15 June	100			
0807 19 00	Other melons, fresh, from 15 October to 31 May	100			
0808 20 90	Quinces, fresh	100	1 000	50	

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
0809 10 00 0809 20 0809 30	Apricots, fresh Cherries, fresh Peaches, including nectarines, fresh	100 (*) (5)	3 500	–	Article 1(4)
0809 40 05	Plums, fresh, from 1 November to 30 June	100 (*)			
0810 10 00	Strawberries fresh, from 1 November to 31 March	100			
0810 20 10	Raspberries, fresh, from 15 May to 15 July	100			
0810 50 00	Kiwi fruit, fresh, from 1 January to 30 April	100	250	–	Article 1(4)
ex 0810 90 95	Pomegranates, fresh	100			
ex 0810 90 95	Prickly pears and medlars, fresh	100			
ex 0811	Fruit, not cooked by steaming or boiling in water, frozen, not containing added sugar	100			
ex 0812 90 20	Oranges, finely shredded, provisionally preserved	100			
ex 0812 90 99	Other citrus fruit, finely shredded, provisionally preserved	100			
0813 10 00	Apricots, dried	100			
0813 40 10	Peaches, including nectarines, dried	100			
0813 40 50	Papaws (papayas), dried	100			
0813 40 95	Other fruit, dried	100			
0813 50 12 0813 50 15	Mixtures of dried fruit, other than prunes	100			
0904 12 00	Pepper, crushed or ground	100			
0904 20 90	Fruits of the genus Capsicum or Pimenta, crushed or ground	100			
0910	Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices	100			
1209 91 90	Other vegetable seeds (6)	100			
1209 99 99	Other seeds or fruit for sowing (6)	100			
1211 90 30	Tonquin beans	100			
1212 10	Locust beans, including locust bean seeds	100			
ex 1302 20	Pectic substances and pectinates	25			
1509 1510	Olive oil and its fractions, whether or not refined, but not chemically modified Other oils and their fractions, obtained solely from olives, whether or not refined, but not chemically modified, including blends of these oils or fractions with oils or fractions of heading No 1509	100	3 500	–	Article 1(4)
ex 2001 10 00	Cucumbers, prepared or preserved by vinegar or acetic acid, without added sugar	100			
ex 2001 10 00	Gherkins, prepared or preserved by vinegar or acetic acid	100	10 000 (net weight drained)	–	Article 1(4)
ex 2001 90 93	Onions, prepared or preserved by vinegar or acetic acid, without added sugar	100			

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
2001 90 20	Fruit of genus Capsicum, other than sweet peppers and pimentos, prepared or preserved by vinegar or acetic acid	100			
ex 2001 90 50	Mushrooms, prepared or preserved by vinegar or acetic acid, without added sugar	100			
ex 2001 90 65	Olives, prepared or preserved by vinegar or acetic acid, without added sugar	100			
ex 2001 90 70	Sweet peppers or pimentos, prepared or preserved by vinegar or acetic acid, without added sugar	100			
ex 2001 90 75	Salad beetroot, prepared or preserved by vinegar or acetic acid, without added sugar	100			
ex 2001 90 85	Red cabbage, prepared or preserved by vinegar or acetic acid, without added sugar	100			
ex 2001 90 96	Other vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid, not containing sugar	100			
2002 10 10	Tomatoes, peeled	100			
2002 90	Tomatoes, prepared or preserved otherwise than by vinegar or acetic acid (other than tomatoes whole or in pieces)	100	2 000	–	Article 1(4)
2003 10 20 2003 10 30	Mushrooms of the genus Agaricus, prepared or preserved otherwise than by vinegar or acetic acid	100			
2003 20 00	Truffles, prepared or preserved otherwise than by vinegar or acetic acid	100			
2003 90 00	Other mushrooms, prepared or preserved otherwise than by vinegar or acetic acid	100			
2004 10 99	Other potatoes, prepared or preserved otherwise than by vinegar or acetic acid, frozen	100			
ex 2004 90 30	Capers and olives, prepared or preserved otherwise than by vinegar or acetic acid, frozen	100			
2004 90 50 2005 40 00 2005 59 00	Peas (Pisum sativum) and green beans, prepared or preserved otherwise than by vinegar or acetic acid, frozen Peas (Pisum Sativum), prepared or preserved otherwise than by vinegar or acetic acid, not frozen Other beans, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100	10 500	20	Article 1(4)
2004 90 98	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen	100			
2005 10 00	Homogenised vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen:	100			
2005 20 20	Potatoes, thinly sliced, fried or baked, whether or not salted or flavoured, in airtight packings, suitable for direct consumption	100			
2005 20 80	Other potatoes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
2005 51 00	Beans, shelled, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 60 00	Asparagus, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 70	Olives, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 90 10	Fruit of the genus Capsicum, other than sweet peppers or pimentos, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 90 30	Capers, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 90 50	Artichokes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 90 60	Carrots, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 90 70	Mixtures of vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2005 90 80	Other vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100			
2007 10 91	Homogenised preparations of tropical fruit	100			
2007 10 99	Other homogenised preparations	100			
2007 91 90	Citrus fruit, other	100			
2007 99 91	Apple purée, including compotes	100			
2007 99 98	Jams, fruit jellies, marmalades, fruit or nut puree and fruit or nut pastes, other	100			
2008 30 51 2008 30 71 ex 2008 30 90	Grapefruit segments	80			
ex 2008 30 55 ex 2008 30 75	Mandarins (including tangerines and satsumas), finely shredded; clementines, wilkings and other similar citrus hybrids, finely shredded - in immediate packings of a net content exceeding 1 kg - in immediate packings of a net content not exceeding 1 kg	100 80			
ex 2008 30 59 ex 2008 30 79	Oranges and lemons, finely shredded	80			
ex 2008 30 90	Citrus fruit, finely shredded	80			
ex 2008 30 90	Citrus pulp	40			
2008 50 61 2008 50 69	Apricots, otherwise prepared or preserved, without added spirit but containing added sugar, in immediate packings of a net content exceeding 1 kg	100	10 000	20	Article 1(4)
2008 50 71 2008 50 79	Apricots, otherwise prepared or preserved, without added spirit, containing added sugar, in immediate packings of a net content not exceeding 1 kg	100	5 000	–	Article 1(4)

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
ex 2008 50 92 ex 2008 50 94	Apricot halves, otherwise prepared or preserved, without either added spirit or added sugar, in immediate packings of 4.5 kg or more	100			
ex 2008 50 92 ex 2008 50 94	Apricot pulp, otherwise prepared or preserved, without either added spirit or added sugar, in immediate packings of 4.5 kg or more	100	10 000	50	Article 1(4)
2008 50 99 ex 2008 70 99	Apricots, otherwise prepared or preserved, without either added spirit or added sugar, in immediate packings of a net content of less than 4.5 kg Peach and nectarine halves, otherwise prepared or preserved, without either added spirit or added sugar, in immediate packings of a net content of less than 4.5 kg	100	7 200	50	Article 1 § 4
ex 2008 70 92 ex 2008 70 94	Peach and nectarine halves, otherwise prepared or preserved, without either added spirit or added sugar, in immediate packings of a net content of 4.5 kg or more	50			
2008 92 51 2008 92 59 2008 92 72 2008 92 74 2008 92 76 2008 92 78	Mixtures of fruits, without added spirit, containing added sugar	100	100	55	Article 1(4)
2009 11 2009 12 00 2009 19	Orange juice	100 (*)	50 000	70 (*)	Article 1(4)
2009 21 00 2009 29 11 2009 29 19 2009 29 91 2009 29 99	Grapefruit juice	100 (*)	1 000	70 (*)	Article 1(4)
2009 39 11 2009 39 19	Juice of all other citrus fruit	100 (*)			
ex 2009 31 11 ex 2009 31 19 ex 2009 39 31 ex 2009 39 39	Juice of all other citrus fruit, other than lemon juice	100			
ex 2204	Wine of fresh grapes	100	95 200 hl	–	Article 1(4)
ex 2204 21 79 ex 2204 21 80 ex 2204 21 83 ex 2204 21 84	Wines bearing one of the following designations of origin: Berkane, Saïs, Beni M'Tir, Gerrouane, Zemmour and Zennata, in containers holding 2 litres or less, of an actual alcoholic strength not exceeding 15% vol.	100	56 000 hl	–	Article 1(4)

CN Code (1)	Description of the goods (2)	Rate of reduction of MFN customs duty % a	Tariff quota (tonnes net weight) b	Reduction of the MFN customs duty beyond the current tariff quotas (%) c	Special provisions d
ex 2302	Brans, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants, other than maize or rice	100			

(*) The rate of reduction applies only to the ad valorem customs duty.

(1) CN codes corresponding to Regulation (EC) No 1832/2002 (OJ L 290, 28.10.2002, p. 1).

(2) Without prejudice to the rules for the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only, the preferential scheme being determined, for the purposes of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(3) Application of this concession is suspended until the date provided for in Article 18 of this Agreement for the application of new liberalisation measures.

(4) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions [see Articles 291 to 300 of Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 1) and subsequent amendments].

(5) For fresh cherries, the rate of reduction shall apply to the minimum specific customs duty.

(6) This concession applies only to those seeds covered by the provisions of the directives on the marketing of seeds and plants.

ANNEX 1B

1. Exporter (name, full address, country):	2. Number	00000	
	3. Name of the authority guaranteeing the designation of origin:		
4. Consignee (name, full address, country)	5. CERTIFICATE OF DESIGNATION OF ORIGIN		
	7. Designation of origin		
6. Means of Transport :			
8. Place of unloading:			
9. Marks and numbers, number and kind of packages	10. Gross weight	11. Litres	
12. Litres (in words):			
13. Stamp of issuing body:			
(See translation, box 15)			
15. We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Moroccan legislation as entitled to the designation of origin ".....". The alcohol added to this wine is of vinous origin.			
16. ⁽¹⁾			

⁽¹⁾ Additional information: for use of the exporting country.

PROTOCOL NO 3
CONCERNING THE ARRANGEMENTS APPLICABLE TO IMPORTS INTO MOROCCO
OF AGRICULTURAL PRODUCTS ORIGINATING IN THE COMMUNITY

ARTICLE 1

1. The import duties on imports into Morocco of products originating in the Community as listed in the Annex hereto shall be as set in column (a) of the Annex. The successive reductions provided for in this Agreement shall be made by the percentages indicated in columns (c), (e), (g), (i) and (k) for the quantities covered by the tariff quotas indicated in columns (b), (d), (f), (h) and (j).
2. Without prejudice to paragraph 3, if any erga omnes tariff reduction is applied after this Agreement has been signed, the reduced duty shall replace the duties indicated in column (a) of the Annex for the purposes of paragraph 1 as from the date when that reduction is applied.
3. For products falling within CN code ex 1001 90 99 as referred to in the Annex, the duty indicated in column (a) of the Annex shall be that applied on 1 October 2003 and shall remain at or below that level for the purposes of calculating the tariff reduction.

If the duty concerned is reduced on an erga omnes basis after that date, the percentage indicated in columns (c), (e), (g), (i) and (k) shall be adjusted according to the following rules:

- if the duty is reduced on an erga omnes basis, the percentage shall be increased by 0,275% per percentage point of reduction;

- if the duty is subsequently increased on an erga omnes basis, the percentage shall be reduced by 0,275% per percentage point of increase;
- if the duty is again adjusted either upwards or downwards, the percentage resulting from the application of the previous indents shall be adjusted using the relevant formula.

ARTICLE 2

1. For cereals falling within CN code ex 1001 90 99, the tariff quota shall be fixed as stipulated in the footnote on page 2 of the Annex on the basis of Moroccan output during the current year, as estimated and published by the Moroccan authorities during May. The quota will be adapted if necessary at the end of July in the light of a communication from the Moroccan authorities fixing the definitive volume of Moroccan output. However, the result of any such adjustment must be adjusted by common accord between the Parties either upwards or downwards by 5% depending on the outcome of the consultations referred to in paragraph 2.

The above tariff quota shall not apply during June and July. During the consultations provided for in the following paragraph, the Parties shall agree to consider whether to extend the timetable in the light of the forecasts for the Moroccan market. However, any extension may not go beyond 31 August.

2. For the purposes of managing the provisions set out in paragraph 1, and in order to ensure supplies to the Moroccan market as well as the stability and continuity of that market and to stabilise prices on the Moroccan market and preserve traditional trade flows, the following cooperation arrangements shall apply in the cereals sector.

Before the beginning of each marketing year, no later than the second half of May, the parties shall hold consultations.

The purpose of these consultations will be to discuss the market situation for cereals including, in particular, production forecasts for Moroccan common wheat, the situation of stocks, consumption, producer and export prices and possible market development as well as possibilities of adapting supply to demand.

3. If, after the entry into force of this Agreement, Morocco grants a larger tariff reduction on cereals falling within CN code ex 1001 90 99 to a third country under an international agreement, Morocco undertakes to grant the same tariff reduction to the Community as an autonomous measure.

ARTICLE 3

Without prejudice to other provisions of this Agreement, if, given the particular sensitivity of the agricultural markets, imports of products originating in the Community which are the subject of concessions granted under this Protocol, cause serious disturbance to the Moroccan market within the meaning of Article 25 of the Agreement, both Parties shall hold consultations immediately to find an appropriate solution. Pending such solution, Morocco may take the measures it deems necessary.

ANNEX

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
ex 0102 10	Pure-bred bovine animals for breeding (excluding cows)	2,5	5 000	100,0	5 000	100,0	5 000	100,0	5 000	100,0	5 000	100,0
0105 11	Fowls of the species Gallus domesticus, weighing not more than 185 g	2,5	600	100,0	600	100,0	600	100,0	600	100,0	600	100,0
ex 0202 20	Beef and veal cuts with bone in, frozen, excluding 'compensated' quarters	254,0	4 000	82,3	4 000	82,3	4 000	82,3	4 000	82,3	4 000	82,3
0207 12	Fowls of the species Gallus domesticus, not cut in pieces, frozen	110,0	200	27,3	200	27,3	200	27,3	200	27,3	200	27,3
ex 0207 27 10	Boneless turkey cuts, frozen, ground	60,0	770	36,7	770	36,7	840	40,0	910	43,3	1 000	46,7
0207 27 30	Whole turkey wings, with or without tips, frozen	110,0	60	13,6	70	13,6	80	18,2	90	22,7	100	27,3
0207 27 50	Turkey breasts and cuts thereof, with bone in, frozen											
0207 27 60	Turkey drumsticks and cuts thereof, with bone in, frozen											
0207 27 70	Turkey legs and cuts thereof, with bone in, frozen, other than drumsticks and cuts thereof											
0207 27 80	Other turkey cuts, with bone in, frozen											
0401 30	Cream, of a fat content by weight exceeding 6%	109,0	1 000	88,5	1 000	88,5	1 000	88,5	1 000	88,5	1 000	88,5
0402 10 11	Milk and cream in powder, granules or other solid form, of a fat content by weight not exceeding 1.5%, not containing added sugar or other sweeteners, in immediate packings of a net content not exceeding 2.5 kg	109,0	4 000	72,5	4 000	72,5	4 300	72,5	4 600	72,5	4 800	72,5
0402 10 19	Milk and cream in powder, granules or other solid form, of a fat content by weight not exceeding 1.5%, not containing added sugar or other sweeteners, in immediate packings of a net content exceeding 2.5 kg	60,0		100,0		100,0		100,0		100,0		

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
0402 21 11	Milk and cream in powder, granules or other solid form, of a fat content by weight exceeding 1.5%, not containing added sugar or other sweeteners, in immediate packings of a net content not exceeding 2.5 kg	109,0	3 200	20,2	3 200	20,2	3 200	20,2	3 200	20,2	3 200	20,2
0402 21 19	Milk and cream in powder, granules or other solid form, of a fat content by weight exceeding 11% but not exceeding 27%, not containing added sugar or other sweeteners, in immediate packings of a net content exceeding 2.5 kg											
0402 21 91	Milk and cream in powder, granules or other solid form, of a fat content by weight exceeding 27%, not containing added sugar or other sweeteners, in immediate packings of a net content not exceeding 2.5 kg											
0402 21 99	Milk and cream in powder, granules or other solid form, of a fat content by weight exceeding 27%, not containing added sugar or other sweeteners, in immediate packings of a net content exceeding 2.5 kg											
0402 91 31	Milk and cream, concentrated, not containing added sugar or other sweeteners, of a fat content by weight exceeding 8% but not exceeding 10%, in immediate packings of a net content not exceeding 2.5 kg (excluding milk and cream in powder, granules or other solid form, of a fat content by weight exceeding 1.5%)	109,0	2 600	24,8	2 600	24,8	2 600	29,4	2 600	33,9	2 600	38,6
0402 91 59	Milk and cream, concentrated, not containing added sugar or other sweeteners, of a fat content by weight exceeding 10% but not exceeding 45%, in immediate packings of a net content exceeding 2.5 kg (excluding milk and cream in powder, granules or other solid form, of a fat content by weight exceeding 1.5%)											

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
0402 91 99	Milk and cream, concentrated, not containing added sugar or other sweeteners, of a fat content by weight exceeding 45%, in immediate packings of a net content exceeding 2.5 kg (excluding milk and cream in powder, granules or other solid form, of a fat content by weight exceeding 1.5%)											
0402 99	Milk and cream, concentrated, containing added sugar or other sweeteners	109,0	1 000	90,9	1 000	90,9	1 000	90,9	1 000	90,9	1 000	90,9
0403 90 11 0403 90 19 0403 90 31 0403 90 39 0403 90 51 0403 90 59	Buttermilk, curdled milk and cream, kephir and other fermented or acidified milk and cream, not flavoured nor containing added fruit, nuts or cocoa	109,0	300	74,3	300	74,3	300	76,1	300	78,0	300	79,8
0404 10	Whey and modified whey, whether or not concentrated or containing added sugar or other sweeteners	17,5	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0
0405 10	Butter	32,5	8 200	69,2	8 200	69,2	8 500	69,2	8 700	69,2	9 000	69,2
0405 20 00	Dairy spreads	50,0		80,0		80,0		80,0		80,0		
0405 90 00	Other oils and fats derived from milk	17,5		42,8		42,8		42,8		42,8		
0406 20	Grated or powdered cheese, of all kinds	75,0	100	41,3	100	41,3	100	49,3	100	57,3	100	65,3
0406 30	Processed cheese, not grated or powdered	75,0	100	41,3	100	41,3	100	49,3	100	57,3	100	65,3
0406 40	Blue-veined cheese	75,0	100	41,3	100	41,3	100	49,3	100	57,3	100	65,3
ex 0406 90	Other cheese, excluding cheese for processing falling within CN code 0406 90 01	75,0	1 000	52,0	1 000	52,0	1 000	57,0	1 000	62,0	1 000	68,0
0406 90 01	Other cheese for processing	17,5	300	100,0	300	100,0	300	100,0	300	100,0	300	100,0
0407 00 19	Poultry eggs, for hatching (excluding turkey or goose eggs)	52,0	200	100,0	200	100,0	200	100,0	200	100,0	200	100,0
0408 99 80	Birds' eggs, not in shell, fresh, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweeteners, suitable for human consumption (excluding dried eggs and egg yolks)	50,0	60	50,0	60	50,0	70	50,0	80	50,0	90	50,0

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduction in customs duties (%)	Quota (tonnes)	Reduction in customs duties (%)	Quota (tonnes)	Reduction in customs duties (%)	Quota (tonnes)	Reduction in customs duties (%)	Quota (tonnes)	Reduction in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
0409 00 00	Natural honey	50,0	100	30,0	100	30,0	100	30,0	100	30,0	100	30,0
0504 00 00	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof	32,5	1 000	100,0	1 000	100,0	1 200	100,0	1 400	100,0	1 600	100,0
		50										
		52										
0601	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading No 1212	17,5	200	100,0	200	100,0	200	100,0	200	100,0	200	100,0
		32,5										
		50										
06 02 20	Edible fruit or nut trees, shrubs and bushes, whether or not grafted; vine slips, grafted or rooted	2,5	500	100,0	500	100,0	500	100,0	500	100,0	500	100,0
		17,5										
		50										
0602 90 30	Vegetable and strawberry plants	17,5	1 150	100,0	1 150	100,0	1 300	100,0	1 450	100,0	1 600	100,0
0602 90 45	Outdoor rooted cuttings and young plants of trees, shrubs and bushes (excluding fruit, nut and forest trees)	50,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
0602 90 99	Other live indoor plants (excluding rooted cuttings, young plants and flowering plants with buds or flowers)	17,5	300	42,9	300	42,9	400	57,1	500	71,4	600	100,0
0701 10 00	Seed potatoes, fresh or chilled	40,0	50 000	37,5	50 000	37,5	50 000	37,5	50 000	37,5	50 000	37,5
0703 20 00	Garlic, fresh or chilled	50,0	1 000	100,0	1 000	100,0	1 150	100,0	1 300	100,0	1 500	100,0
0712 90 50 0712 90 90	Carrots and other vegetables and mixtures of vegetables, dried, whole, cut, sliced, broken or in powder, but not further prepared	50,0	150	50,0	150	50,0	150	50,0	150	50,0	150	50,0
0713 10 10	Peas (<i>Pisum sativum</i>), dried, shelled, for sowing	17,5	450	100,0	450	100,0	450	100,0	450	100,0	450	100,0
0713 10 90	Peas (<i>Pisum sativum</i>), dried, shelled, whether or not skinned or split (excluding peas for sowing)	50,0	350	24,0	350	24,0	350	28,0	350	32,0	350	36,0
0713 33 90	Kidney beans (<i>Phaseolus vulgaris</i>), dried, shelled, whether or not skinned or split (excluding beans for sowing)	50,0	150	50,0	150	50,0	150	50,0	150	50,0	150	50,0

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
ex 0713 50 00	Broad beans (<i>Vicia faba</i> var. <i>major</i>) and horse beans (<i>Vicia faba</i> var. <i>equina</i> , <i>Vicia faba</i> var. <i>minor</i>), dried, shelled, for sowing	25,0	4 200	40,0	4 200	50,0	4 200	60,0	4 200	70,0	4 200	80,0
0713 90 90	Other dried leguminous vegetables, shelled, whether or not skinned or split, other than for sowing	50,0	3 600	20,0	3 600	20,0	3 600	26,0	3 600	30,0	3 600	42,0
0802 12 90	Almonds, fresh or dried, shelled (excluding bitter almonds)	50,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
0802 22 00	Hazelnuts or filberts (<i>Corylus</i> spp.), fresh or dried, shelled, whether or not peeled	50,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
0802 90	Other nuts, fresh or dried, whether or not shelled or peeled	50,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
0804 40 00	Avocados, fresh or dried	52,0	100	23,1	100	23,1	100	28,8	100	32,7	100	44,2
0806 20	Grapes, dried	52,0	100	23,1	100	23,1	100	28,8	100	32,7	100	44,2
ex 0808 10	Apples, fresh, from 1 February to 30 April	52,0	2 000	100,0	2 000	100,0	2 000	100,0	2 000	100,0	2 000	100,0
0808 20 50	Pears, fresh, from 1 February to 30 April	52,0	300	100,0	300	100,0	300	100,0	300	100,0	300	100,0
0810 50 00	Kiwi fruit, fresh	50,0	100	50,0	100	50,0	100	50,0	100	50,0	100	50,0
0813 20 00	Prunes, dried	52,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
1001 10 00	Durum wheat, from 1 December to 31 March	75 (a)	5 000	25,0	5 000	25,0	5 000	25,0	5 000	25,0	5 000	25,0
ex 1001 90 99	Spelt, common wheat and meslin other than for sowing	135 (a)	1 060 000 (2) Article 2	38,0	1 060 000 (2) Article 2	38,0	1 060 000 (2) Article 2	38,0	1 060 000 (2) Article 2	38,0	1 060 000 (2) Article 2	38,0
1003 00 10	Barley for sowing	36,0	2 000	100,0	2 000	100,0	2 000	100,0	2 000	100,0	2 000	100,0
ex 1003 00 90	Barley (other than for sowing and for malting), from 1 December to 31 March	35(b)	100 000	20,0	100 000	20,0	100 000	20,0	100 000	20,0	100 000	20,0
ex 1003 00 90	Barley for malting	35 (b)	10 000	100,0	10 000	100,0	12 000	100,0	14 000	100,0	16 000	100,0
1004 00 00	Oats	2,5	800	100,0	800	100,0	800	100,0	800	100,0	800	100,0
		25										
		30										
1005 10	Maize seed	2,5	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0
1005 90 00	Maize other than seed	35 (b)	2 000	(3)	2 000	(3)	2 000	(3)	2 000	(3)	2 000	(3)
1006 10 10	Paddy rice for sowing	2,5	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0
1006 30	Semi-milled or wholly milled rice, whether or not polished or glazed	140 (c)	200	100,0	200	100,0	200	100,0	200	100,0	200	100,0

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
1007 00 90	Grain sorghum (excluding hybrid grain sorghum for sowing)	25 (d)	3 000	100,0	3 000	100,0	3 000	100,0	3 000	100,0	3 000	100,0
1107 10 19 1107 10 99	Malt, not roasted, in a form other than flour	40,0	5 000	25,0	5 000	25,0	5 000	25,0	5 000	25,0	5 000	25,0
1108 12 00	Maize (corn) starch	32,5	800	23,1	800	23,1	800	23,1	800	23,1	800	23,1
1108 13 00	Potato starch	32,5	500	23,1	500	23,1	500	23,1	500	23,1	500	23,1
ex 1205 90 00	Rape or colza seed, whether or not broken, for crushing	2,5	1 250	100,0	1 250	100,0	1 500	100,0	1 750	100,0	2 000	100,0
1206 00 10	Sunflower seed, for sowing	2,5	250	100,0	250	100,0	250	100,0	250	100,0	250	100,0
ex 1206 00 99	Sunflower seeds, whether or not broken (excluding seed for sowing, shelled seeds and seeds in grey and white striped shells) for crushing	2,5	2 500	100,0	2 500	100,0	3 000	100,0	3 500	100,0	4 000	100,0
1207 50 90	Mustard seeds, whether or not broken (excluding seed for sowing)	25,0	150	100,0	150	100,0	150	100,0	150	100,0	150	100,0
1209 10 00	Sugarbeet seed, for sowing	2,5	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0	1 000	100,0
1209 21 00	Lucerne (alfalfa) seed, for sowing	2,5	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
1209 91	Vegetable seeds, for sowing	2,5	1 200	100,0	1 200	100,0	1 200	100,0	1 200	100,0	1 200	100,0
1212 10 10 1212 10 91	Locust beans and locust-bean seeds, not shelled, crushed or ground	32,5	200	100,0	200	100,0	200	100,0	200	100,0	200	100,0
1213 00 00	Cereal straw and husks, unprepared, whether or not chopped, ground, pressed or in the form of pellets	25-40	1 150	100,0	1 150	100,0	1 150	100,0	1 150	100,0	1 150	100,0
1214	Swedes, mangolds, fodder roots, hay, lucerne (alfalfa), clover, sainfoin, forage kale, lupins, vetches and similar forage products, whether or not in the form of pellets	2,5	61 000	100,0	61 000	100,0	61 000	100,0	61 000	100,0	61 000	100,0
1507 10 90	Soya oil, crude, whether or not degummed (excluding soya oil for technical or industrial uses other than the manufacture of foodstuffs for human consumption)	2,5	30 000	100,0	30 000	100,0	30 000	100,0	30 000	100,0	30 000	100,0

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
ex 1507 90	Soya oil and its fractions, whether or not refined, packaged	25,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
ex 1508 90	Ground-nut oil and its fractions, whether or not refined, packaged											
1509 10 90	Olive oil, virgin, other than lampante virgin olive oil	52,0	500	32,7	500	32,7	500	32,7	500	32,7	500	32,7
1512 11 91	Sunflower-seed oil, crude, (excluding oil for technical or industrial uses other than the manufacture of foodstuffs for human consumption)	2,5	4 000	100,0	4 000	100,0	4 000	100,0	4 000	100,0	4 000	100,0
1514 11	Rape or colza oil, crude	2,5	12 500	100,0	12 500	100,0	15 000	100,0	17 500	100,0	20 000	100,0
ex 1514 19 90	Low erucic acid rape or colza oils (fixed oils with an erucic acid content of less than 2%) and their fractions, whether or not refined, but not chemically modified, (excluding crude oil and oil for technical or industrial uses other than the manufacture of foodstuffs for human consumption), packaged	25,0	600	100,0	600	100,0	600	100,0	600	100,0	600	100,0
1515 11	Linseed oil, crude	2,5	125	100,0	125	100,0	125	100,0	125	100,0	125	100,0
1515 90 40 1515 90 59	Other vegetable oils, crude	2,5	50	100,0	50	100,0	50	100,0	75	100,0	100	100,0
1515 90 60 1515 90 99	Other vegetable oils and their fractions	25,0	150	100,0	150	100,0	150	100,0	150	100,0	150	100,0
ex 2002 90	Tomatoes, prepared or preserved otherwise than by vinegar or acetic acid (other than tomatoes whole or in pieces) in packings of more than 1 kg	50,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
2003 10 2003 90	Mushrooms, prepared or preserved otherwise than by vinegar or acetic acid	50,0	200	70,0	200	70,0	200	80,0	200	90,0	200	100,0
2004 10 10	Potatoes, cooked, frozen	25,0	1 000	60,0	1 000	60,0	1 000	60,0	1 000	60,0	1 000	60,0
2005 40 00 2005 51 00	Peas (<i>Pisum sativum</i>) and beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.), prepared or preserved otherwise than by vinegar or acetic acid, not frozen	50,0	100	50,0	100	50,0	100	50,0	100	50,0	100	50,0

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
2005 70 10 2005 70 90	Olives, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	50,0	100	10,0	100	10,0	100	20,0	100	20,0	100	30,0
ex 2007 10 10 2007 10 91 ex 2007 10 99 2007 99 20 2007 99 31 2007 99 35 ex 2007 99 39 2007 99 51 2007 99 55 ex 2007 99 58 2007 99 91 2007 99 93 ex 2007 99 98	Jams, jellies, marmalades, purées and pastes of fruit other than citrus fruit, strawberries and apricots	50,0	150	20,0	150	20,0	200	30,0	250	40,0	300	50,0
2008 19 13 2008 19 19	Almonds and pistachios, roasted, and nuts and other seeds, including mixtures, prepared or preserved, in immediate packings of a content of less than 1 kg	50,0	100	20,0	100	20,0	100	30,0	100	40,0	100	50,0
2008 70 61 2008 70 71 2008 70 79	Peaches including nectarines, prepared or preserved, not containing added spirit but containing added sugar	50,0	150	20,0	150	20,0	150	30,0	150	40,0	150	50,0
2009 79 19 2009 79 99	Apple juice, unfermented, not containing added spirit, concentrated	50,0	300	100,0	300	100,0	300	100,0	300	100,0	300	100,0
ex 2009 80 79 2009 80 88 2009 80 99	Fruit or vegetable juices, unfermented, concentrated	50,0	500	70,0	500	70,0	580	80,0	660	90,0	730	100,0
2009 90 59 2009 90 98	Mixtures of fruit juices, including grape must, and juices of vegetables (other than apples, pears, citrus fruit, pineapples and tropical fruit), without added sugar	50,0	100	100,0	100	100,0	100	100,0	100	100,0	100	100,0
2204 10	Sparkling wine	52,0	3000 hl	23,1	3000 hl	23,1	3000 hl	32,7	3000 hl	42,3	3000 hl	53,8
2204 21	Other wine of fresh grapes, in containers holding 2 litres or less	52,0	6000 hl	23,1	6000 hl	23,1	6000 hl	32,7	6000 hl	42,3	6000 hl	53,8

CN Code (1)	Product description	Customs duties on imports (%)	2003		2004		2005		2006		2007 and following years	
			Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)	Quota (tonnes)	Reduct- ion in customs duties (%)
			a	b	c	d	e	f	g	h	i	j
2204 29	Other wine of fresh grapes, in containers holding more than 2 litres	52,0	12 000 hl	23,1	12 000 hl	23,1	12000 hl	32,7	12 000 hl	42,3	12 000 hl	53,8
2302 30 10 2302 30 90	Bran, sharps and other residues, whether or not in the form of pellets, derived from the milling, sifting or other working of wheat	2,5	3.000	100,0	3.000	100,0	3.500	100,0	4.200	100,0	5.000	100,0
2302 40 10 2302 40 90	Bran, sharps and other residues, whether or not in the form of pellets, derived from the milling, sifting or other working of other cereals	2,5	12.500	100,0	12.500	100,0	15.000	100,0	17.500	100,0	20.000	100,0
2303 20 11 2303 20 18	Beet pulp	2,5	40.000	100,0	40.000	100,0	50.000	100,0	60.000	100,0	72.000	100,0
2303 20 90	Bagasse and other waste of sugar manufacture (excluding beet pulp)	32,5	5.000	100,0	5.000	100,0	5.000	100,0	5.000	100,0	5.000	100,0
2309 10	Dog or cat food, put up for retail sale	32,5	1.000	38,5	1.000	38,5	1.000	38,5	1.000	38,5	1.000	38,5
ex 2309 90	Other preparations of a kind used in animal feeding (only anticoccidials on a base, choline 70, prepared foods for fishes, antibiotics, milk replacers, dried melassed beet pulp, residues from the manufacture of starch, other than premixes)	17,5	6.000	100,0	6.000	100,0	9.000	100,0	12.000	100,0	15.000	100,0
ex 2309 90 99	Premixes of a kind used in animal feeding	52,0	1.000	51,9	1.000	51,9	1.000	51,9	1.000	51,9	1.000	51,9
2401 10 60 2401 10 70 2401 20 90	Sun-cured, oriental-type tobacco, not stemmed/stripped Dark air-cured tobacco, not stemmed/stripped Tobacco partly or wholly stemmed/stripped but not further worked	17,5	200	100,0	200	100,0	300	100,0	400	100,0	500	100,0

- (a) This rate shall be applied to the value category MAD 1 000/tonne or less; the value category more than MAD 1 000/tonne is subject to an import duty of 2.5%.
- (b) This rate shall be applied to the value category MAD 800/tonne or less; the value category more than MAD 800/tonne is subject to an import duty of 2.5%.
- (c) This rate shall be applied to the value category MAD 3 000/tonne or less; the value category more than MAD 3 000/tonne is subject to an import duty of 16 %.
- (d) This rate shall be applied to the value category MAD 800/tonne or less; the value category more than MAD 800/tonne is subject to an import duty of 16%.
- (e) This rate shall be applied to the customs value. Where the declared value is less than MAD 3 500/tonne, an additional import duty of 123% shall be applied to the difference between the threshold fixed (MAD 3 500/tonne) and the declared value.
- (1) Without prejudice to the rules for the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only, the preferential scheme being determined, for the purposes of this Annex, by the coverage of the corresponding CN code in Regulation (EC) No 1832/2002 (OJ L 290, 28.10.2002, p. 1). Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.
- (2) If Moroccan production of common wheat (P) exceeds 2.1 million tonnes, this quota (Q) will be reduced in accordance with the formula: Q (millions of tonnes) = $2.59 - 0.73 * P$ (millions of tonnes), with a minimum of 400 000 for Moroccan production of 3 000 000 tonnes or more.
- (3) The preferential rate applicable is 2.5%.

Joint Declaration

The Parties hereby agree to review the situation regarding the tariff preferences established in Protocol 3, in particular for the following products: animal and vegetable oils and fats falling within CN codes 1515 19 10, 1515 90 60, 1515 90 99, 1516 10 90, 1516 20 95, 1516 20 96 and 1516 20 98 and beet sugar falling within CN code 1701 12 90, in accordance with the objective provided for in Article 16 of the Association Agreement.

Joint Declaration

The Parties note that this Agreement shall be applied by the Kingdom of Morocco by means of a tendering procedure for import licences for the purposes of managing the preferential quotas.

If the tendering arrangements are changed or if a system of direct payments is introduced, the Parties agree to hold consultations under Article 20 of the Association Agreement.
